

**Bureau of Land Management
Winnemucca District Office
Categorical Exclusion/Cultural Resources Inventory**

[X] HRFO (1000)	[] BRFO (3000)	[] District ()
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CX#: DOI-BLM-NV-W010-2012-0026-CX Regulatory Authority (CFR or Law): 2930 BLM Manual: H-2930-1 Subject Function Code: 8372	Date: Lease / Case File / Serial #: SRP # NVW01000-12-06
Project Lead Preliminary Review: Is the project located within a Preliminary Priority Habitat? Yes Is the project located within a Preliminary General Habitat? Yes	

1. BLM District Office: Winnemucca District Office

2. Name of Project Lead: Joey Carmosino

3. Project Title: 2012 Mule Endurance Race

4. Applicant:

Sheree Tibbals
Humboldt Co. Ag. District # 3
50 W. Winnemucca
Winnemucca, NV 89445

5. Project Description:

Ms. Tibbals (representing the Mule Show Committee) has applied for a Special Recreation Permit to conduct a twenty-five mile mule endurance race on June 1, 2012. The purpose of this event is to provide participants and spectators with a varied menu of competitive rodeo events that exhibit the skills associated with western U.S. culture. This is a continuation of a five year permit issued in 2008. **No new ground disturbance would result from the proposed activity. The proposed route is the same exact route used since 2000.** The 2010 event attracted 13 competitors (the 2011 event was canceled due to north state quarantine).

Participants would bring mules from around the country to run in a twenty-five mile mule endurance race. The event would begin at the top of Golconda Pass adjacent to I80 and would follow existing primitive roads. The race finish (and spectators) will be at the Winnemucca Events Center.

A stock watering tank and veterinarian station would be provided at the half way point. The proponents would provide for a sanitation station at the start point.

Project dimensions: 25 miles x 5280 feet/mile x 12 feet wide x 1 acre/ 43,560 square feet
Acreage: 36 acres

Will the project result in new surface disturbance? Yes_____ No X

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Has the project area been previously disturbed? Yes XX No ____N/A____. If yes, what percent of the project area has been disturbed? 100 %. If only part of the project area has been disturbed, indicate disturbed area on map. Describe disturbance: Pre-existing primitive roads

6. Legal Description:

T36N R38E sec. 09, 10, 12-16, 24, 25
T36N R39E sec. 07, 18, 19, 28-30, 32-36
T35N R40E sec. 03-06, 10-12
T35N R41E sec. 07, 08

USGS 24k Quad name: Golconda, Golconda Butte, Pole Creek, Weso, Winnemucca East
100k map name: Winnemucca, Osgood Mountains
Land Status: BLM X Private X

7. Create PDFs of 1:24000 Project Location Map and 1:100,000 general vicinity map. (See S:\NEPA\NEPA_2012\NEPA 2012 Templates\Proposed Action\CX Proposed Action Form and Instructions

Part I: Plan Conformance Review

The proposed Action is subject to the:

- ☐ Paradise-Denio Management Framework Plan
☒ Sonoma-Gerlach Management Framework Plan
☐ Black Rock Desert-High Rock Canyon Emigrant Trails NCA and Associated Wilderness and Other Contiguous Lands in Nevada RMP

Objective R1: Provide as many recreational opportunities as possible without undo environmental degradation in the Sonoma-Gerlach Area

(The Proposed Action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM Manual 1617.3).

Part II: NEPA Review

Categorical Exclusion Review: This Proposed Action qualifies as a categorical exclusion under:

- ☒ 516 DM11.9, (BLM) H.1. Issuance of Special recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails or in areas authorized in a land use plan.

ESA and BLM Sensitive Status Species

Evaluation Criteria	Yes	No
1. Are species listed under the Endangered Species Act likely to occur in the project area? If yes, list the species in Table 1 below. Verify with USFWS or use approved list.	<input type="checkbox"/>	<input type="checkbox"/>
2. Are BLM NV Sensitive Species, based upon the current IM, likely to occur in the project area? If yes, list the species in the Table 1 below.	<input type="checkbox"/>	<input type="checkbox"/>
3. Could the proposed action result in "take" under the Migratory Bird Treaty Act? If yes, attach appropriate mitigation measures.	<input type="checkbox"/>	<input type="checkbox"/>

Table 1. Special Status Species that may occur in the project area:

ESA	BLM	Common (Scientific) Name	May Be Affected?	Mitigation for BLM Sensitive Species (Attach ESA Section 7 Compliance to Form)
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes	

			<input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	

Table 2 Migratory Bird Treaty Act Consideration

Potential MBTA Species w/in the Project Area Common (<i>Scientific</i>) Name	May Be Affected?	Proposed Mitigation
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	

The Proposed Action has been reviewed to determine if any exceptions described in 43 CFR 46.215 Categorical Exclusions: Extraordinary Circumstances apply. (See attached page)

Mitigation Measures/Remarks: See Attached Stipulations

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Part III: DECISION: I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no other environmental analysis is required.

Remarks reserved for authorized officer:

Authorized Official_\s\ Michael Truden Date: 05/16/12
(Signature)

Administrative Review or Appeal Opportunities

A person who wishes to appeal to the Interior Board of Land Appeals must do so under 43 CFR 4.411 and must file in the office of the officer who made the decision (not the board), in writing to Michael Truden, Field Manager, Humboldt River Field Office, 5100 East Winnemucca Boulevard, Winnemucca, Nevada 89445. A person served with the decision being appealed must transmit the notice of appeal in time to be filed in the office where it is required to be filed within thirty (30) days after the date of service.

The notice of appeal must give the serial number or other identification of the case and may include a statement of reasons for the appeal, a statement of standing if required by § 4.412(b), and any arguments the appellant wishes to make. Form 1842-1 provides additional information regarding filing an appeal.

No extension of time will be granted for filing a notice of appeal. If a notice of appeal is filed after the grace period provided in §4.401(a), the notice of appeal will not be considered and the case will be closed by the officer from whose decision the appeal is taken. If the appeal is filed during the grace period provided in §4.401(a) and the delay in filing is not waived, as provided in that section, the notice of appeal will not be considered and the appeal will be dismissed by the Board.

The appellant shall serve a copy of the notice of appeal and any statements of reason, written arguments, or briefs under §4.413 on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, Pacific Southwest Regional Solicitor, U.S. Department of the Interior, 2800 Cottage Way, Room E-2753, Sacramento, California 95825-1890. Service must be accompanied by personally serving a copy to the party or by sending the document by registered or certified mail, return receipt requested, to the address of record in the bureau, no later than 15 days after filing the document.

In addition, within thirty (30) days of receipt of this decision you have the right to file a petition for a stay together with your appeal in accordance with the regulations at 43 CFR 4.21. The petition must be served upon the same parties specified above.

Pursuant to 43 CFR 4.47I(c), a petition for stay, if filed, must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of immediate and irreparable harm if the stay is not granted; and,
- (4) Whether the public interest favors granting the stay.

43 CFR 4.471 (d) provides that the appellant requesting a stay bears the burden of proof to demonstrate

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that a stay should be granted.

At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR 4.422(c)(2)).